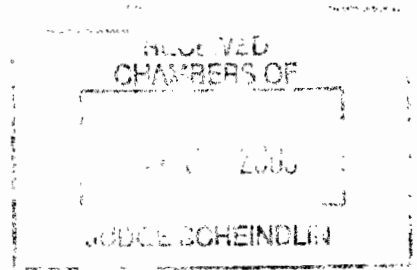


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

Master File No. 1:00 - 1898  
MDL 1358 (SAS)  
M21-88

**This document relates to:**

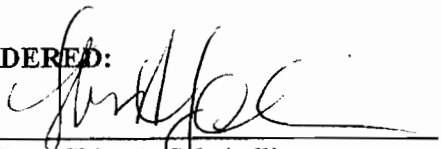
*Basso, et al. v. Sunoco, Inc., et al.*, 03 Civ. 9050  
*Tonneson, et al. v. Sunoco, Inc., et al.*, 03 Civ. 8248

**STIPULATION AND [PROPOSED] ORDER  
TO EXCLUDE TESTIMONY, ARGUMENT OR EVIDENCE REGARDING BENZENE**

Pursuant to the agreement of counsel, and subject to the approval and entry as an Order  
by the Court:

Plaintiffs hereby stipulate that Myron A. Mehlman, Ph.D. is precluded from offering at  
trial any opinion (including to benzene or its alleged health effects of benzene exposure, including  
but not limited to the opinions expressed in his Expert Report dated February 2, 2007 or in the  
Addendum to his Expert Report dated April 26, 2007.

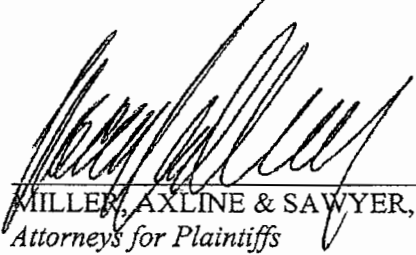
SO ORDERED:

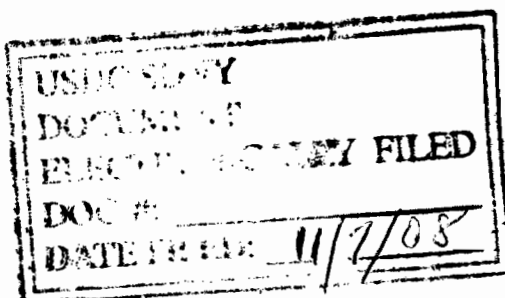
  
Hon. Shira A. Scheindlin  
U.S.D.J.

Dated: 11/4/08

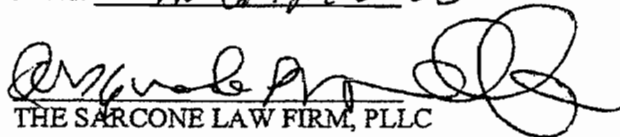
STIPULATED AND AGREED:

By:

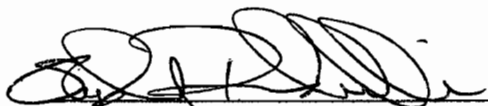
  
MILLER, AXLINE & SAWYER, P.C.  
Attorneys for Plaintiffs



Dated: 2 November 2008

By:   
THE SARCONE LAW FIRM, PLLC  
*Attorneys for Plaintiffs*

Dated: November 3, 2008

  
By: McDERMOTT WILL & EMERY LLP  
*Attorneys for Defendant Exxon Mobil Corporation*

Dated: 11/3/08